

1623  
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kudla *et al.*

Serial No.: 10/015,521

Filed: 12/13/2001

Title: Rapid Diagnostic Method for  
Distinguishing Allergies and  
Infections and Nasal Secretion  
Collection Unit

Group Art Unit: 1623

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Attorney Docket No.: UF156IBD3

Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

Applicant(s) also submit herewith copies of Form PTO 1449-Information Disclosure Citations filed in parent application Serial Nos: 08/576,604 and 09/936,954. Under the provisions of 37 C.F.R. 1.98(d), since all references cited therein have been provided in parent application Serial Nos: 08/576,604 and 09/936,954, copies of cited references are not provided herewith. It is believed that this submission complies with the requirements of 37 C.F.R. 1.56.

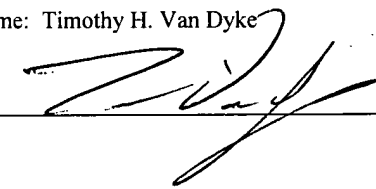
Applicant submits that the cited references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: March 14, 2003

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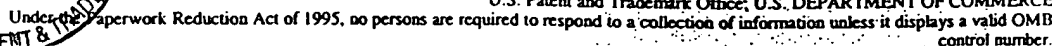
Respectfully submitted,



Timothy H. Van Dyke  
Attorney/Agent for Applicant(s)  
Reg. No. 43218

Date: March 14, 2003

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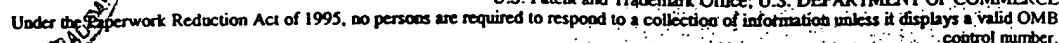
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Examiner Signature		Date Considered	
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Application Number	09/936,954
Filing Date	3/16/1999
First Named Inventor	Small
Group Art Unit	1645
Examiner Name	Unknown
Attorney Docket Number	UF1561A

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**Examiner  
Signature**

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
UF 156

SERIAL NO.  
08/576,604

INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

APPLICANT(S): Parker A. Small, Jr., Shih-Wen Huang

FILING DATE  
December 21, 1995

GROUP  
1208

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3	4	3	8	7	3	7	4/15/69	Atkinson et al.			
	AB	4	3	0	1	1	1	5	11/17/81	Rapkin et al.			
	AC	4	6	3	7	9	7	9	1/20/87	Skjold et al.			
	AD	4	6	4	5	8	4	2	2/24/87	Corey			
	AE	4	6	5	7	8	5	5	4/14/87	Corey et al.			
	AF	4	7	0	4	4	6	0	11/3/87	Corey			
	AG	4	7	5	8	5	0	8	7/19/88	Schnabel et al.			
	AH	3	3	5	9	0	7	2	12/19/67	Rey et al.			
	AI	3	4	1	8	0	7	9	12/24/68	Rey et al.			
	AJ	3	7	1	2	8	5	3	1/23/73	Rittersdorf et al.			
	AK	3	8	9	7	2	1	4	7/29/75	Lange et al.			

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		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	AL												YES	NO
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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Service, R.F. (1995) "Antibiotics that Resist Resistance" Science 270:724-727.
	AS	Wang, D. et al. (1995) "Correlations between Complaints, Inflammatory Cells and Mediator Concentrations in Nasal Secretions after Nasal Allergen Challenge and during Natural Allergen Exposure" Int. Arch. Allergy Immunol. 106:278-285.
	AT	Sigurs, N. et al. (1994) "Eosinophil cationic protein in nasal secretion and in serum and myeloperoxidase in serum in respiratory syncytial virus bronchiolitis: relation to asthma and atopy" Acta. Paediatr. 83:1151-1155.

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AA	3 8 0 2 8 4 2	4/9/74	Lange et al.			
AB	4 0 1 3 4 1 6	3/22/77	Rittersdorf et al.			
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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Okuda, M. et al. (1994) "A Novel Method of Counting Eosinophils in Nasal Secretion of Allergic Rhinitis by Hemocytometric Method" Int. Arch. Allergy Immunol. 104:6-8.
AS	Grzegorezyk, K.M.L. et al. (1993) "Neutrophil chemotactic activity (NCA) in nasal secretions from atopic and nonatopic subjects" Alergy 48:409-414.
AT	Igarashi, Y. et al. (1993) "Immunodeficiency and other clinical immunology: Analysis of nasal secretions during experimental rhinovirus upper respiratory infections" J. Alergy Clin. Immunol. 92:722-731.

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PTO-1449  
(REV. 7-80)

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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Sperber, K. <i>et al.</i> (1993) "In vivo detection of a novel macrophage-derived protein involved in the regulation of nasal mucus-like glycoprotein secretion" J. Allergy Clin. Immunol. 92:585-588.
AS	Knani, J. <i>et al.</i> (1992) "Indirect evidence of nasal inflammation assessed by titration of inflammatory mediators and enumeration of cells in nasal secretions of patients with chronic rhinitis" J. Allergy Clin. Immunol. 90:880-889.
AT	Klementsson, H. <i>et al.</i> (1991) "Eosinophils, secretory responsiveness and glucocorticoid-induced effects on the nasal mucosa during a weak pollen season" Clinical and Experimental Allergy 21:705-710.

EXAMINER

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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Raphael, G.D. et al. (1991) "The pathophysiology of rhinitis" J. Allergy Clin. Immunol. 88:33-42.
AS	Cohen, R.A., E.P. Brestel (1988) "Nasal secretory response to allergen provocation" Clinical Allergy 18:435-443.
AT	Liu, C.-M., M. Okuda (1988) "Injurious effect of eosinophil extract on the human nasal mucosa" Rhinology 26:121-132.

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Sheet 5 of 7

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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Andersson, M. et al. (1987) "Allergen-induced nasal hyperreactivity appears unrelated to the size of the nasal and dermal immediate allergic reaction" Allergy 42:631-637.
	AS	Settipane, G.A., D.E. Klein (1985) "Non Allergic Rhinitis: Demography of Eosinophils in Nasal Smear, Blook Total Eosinophil Counts and IgE Levels" NER Allergy Proc. 6(4):363-366.
	AT	Brofeldt, S. et al. (1986) "Biochemical Analysis of Nasal Secretions Induced by Methacholine, Histamine, and Allergen Provocations" Am. Rev. Respir. Dis. 133:1136-1142.

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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Eggleston, P.A. et al. (1984) "Mediators of Immediate Hypersensitivity in Nasal Secretions during Natural Colds and Rhinovirus Infection" Acta. Otolaryngol (Stockh) suppl. 413:25-35.
	AS	Baumgarten, C.R. et al. (1986) "Plasma Kallikrein during Experimentally Induced Allergic Rhinitis: Role in Kinin Formation and Contribution to TAME-esterase Activity in Nasal Secretions" The Journal of Immunology 137(3):977-982.
	AT	Andersson, M. et al. (1995) "Mechanisms of nasal hyper-reactivity" Eur. Arch. Otorhinolaryngol 252 (Suppl. 1):S22-S26.

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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Florman, A.L. et al. (1987) "Rapid Noninvasive Techniques for Determining Etiology of Bronchitis and Pneumonia in Infants and Children" Clinics in Chest Medicine 8(4):669-679.
	AS	Katz, R.M. et al. (1995) "A Comparison of Imaging Techniques in Patients with Chronic Sinusitis (X-ray, MRI, A-Mode Ultrasound)" Allergy Proc. 16(3):123-127.
	AT	Demoly, P. et al. (1994) "Assessment of inflammation in noninfectious chronic maxillary sinusitis" J. Allergy Clin. Immunol. 94:95-108.

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